

## State of Misconsin 2007 - 2008 LEGISLATURE

LRB-0878/1 2 DAK:lmk:if

Stays

DOA:.....Milioto, BB0174 - Council on Developmental Disabilities

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION



1 AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau HEALTH AND HUMAN SERVICES

## MENTAL ILLNESS, ALCOHOLISM, AND DEVELOPMENTAL DISABILITIES

Currently, the Council on Developmental Disabilities is attached to DHFS and performs numerous duties, including developing, approving, and continuing modification of the statewide plan for delivery of services to individuals with developmental disabilities.

This bill transfers the Council on Developmental Disabilities to DOA and creates an appropriation in DOA for receipt and distribution of federal moneys for the Council on Developmental Disabilities.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 2 **Section 1.** 15.197 (11n) of the statutes is renumbered 15.107 (7) and 15.107
- 3 (7) (ag), as renumbered, is amended to read:

22

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administration.

1	15.107 (7) (ag) There is created a council on developmental disabilities
2	attached to the department of health and family services administration under s
3	15.03.
4	Section 2. 20.505 (4) (mg) of the statutes is created to read:
5	20.505 (4) (mg) Council on developmental disabilities; federal aid. All federal
6	moneys received under 42 USC 15021 to 15029 for the council on developmenta
7	disabilities, for the purposes for which provided.
	****Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.
8	SECTION 9221. Fiscal changes; Health and Family Services.
9	(1) COUNCIL ON DEVELOPMENTAL DISABILITIES. In the schedule under section
10	20.005 (3) of the statutes for the appropriation to the department of health and family
11	services under section 20.435 (6) (m) of the statutes, as affected by the acts of 2007
(12)	the dollar amount is decreased by \$523,500 for fiscal year 2007-08 to decrease the
13	authorized FTE positions for the department by 7.75 FED positions for the council
14	on developmental disabilities.
15	Section 9121. Nonstatutory provisions; Health and Family Services.
16	(1) Transfer of council on developmental disabilities.
17	(a) Assets and liabilities. On the effective date of this paragraph, the assets and
18	liabilities of the department of health and family services primarily related to the
19	council on developmental disabilities, as determined by the secretary of
20	administration, shall become the assets and liabilities of the department of

(b) *Employee transfers*. All incumbent employees holding positions in the department of health and family services performing duties primarily related to the

- functions of the council on developmental disabilities, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of administration.
- (c) *Employee status*. Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and under chapter 230 of the statutes in the department of administration that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.
- (d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, is transferred to the department of administration.
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- 1. All contracts entered into by the council on developmental disabilities in effect on the effective date of this paragraph remain in effect and are transferred to the council on developmental disabilities in the department of administration. The council on developmental disabilities shall carry out any obligations under such a contract until the contract expires or is modified or rescinded by the council on developmental disabilities to the extent allowed under the contract.
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- 2 under such a contract until the contract is modified or rescinded by the department
- 3 of administration to the extent allowed under the contract.

4 (END)

## Kennedy, Debora

From:

Milioto, Steve - DOA

Sent:

Wednesday, January 17, 2007 3:23 PM

To: Subject:

Kennedy, Debora FW: Last Question

FYI

----Original Message----

From: Seng Vang [mailto:vangs@dhfs.state.wi.us]

Sent: Wednesday, January 17, 2007 3:19 PM

To: Milioto, Steve - DOA Subject: Re: Last Question

The name of the grant is the State Developmental Disabilities Councils Grant.

Seng Vang DHFS, OSF 267-0356 (F) 267-0358

\* \* \* \* \* \* \* \* \*

NOTICE: This email and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you received this email in error, please notify the sender; delete the email; and do not use, disclose or store the information it contains.

>>> "Milioto, Steve - DOA" <steve.milioto@wisconsin.gov> 01/17/07 2:01 PM >>> Hi Seng --

Hopefully, this will be my last question regarding the DD council. What

is the name of the FED grant they receive? Best, Steve

## Kennedy, Debora

From:

Milioto, Steve - DOA

Sent:

Wednesday, January 17, 2007 2:01 PM

To:

Kennedy, Debora

Subject:

FW: FW: Re: WCDD Recap

Hi Debora --

Please see #1 in the e-mail message directly below -- it explains what is going on better than I did verbally. (I would have been satisfied with an MOU but DOA Ops would prefer stat language.)

Let me know if this is insufficient. Best, Steve

----Original Message----

From: Vang, Seng [mailto:VangS@dhfs.state.wi.us]

Sent: Wednesday, January 17, 2007 11:23 AM

To: Milioto, Steve - DOA Cc: Massey, Mary - DOA

Subject: Fwd: FW: Re: WCDD Recap

Hi Steve, my answers are in bold below your original questions.

>>> "Milioto, Steve - DOA" <steve.milioto@wisconsin.gov> 01/16/07 3:25

>>> PM >>>

Hi Seng --

Please see Mary's e-mail below.

I have several follow-up questions:

1) We matching the \$1.2 million FED grant w/ \$410,000 (fund source?) in Basic County Allocation. However, the requirement is only 25% of the contracted projects (\$150,000). Why are we overmatching so much? The \$410,000 match is GPR allocated through the Community Aids Basic County Allocation. We are not "actively" overmatching because the match is DD expenditures counties make. We report the full amount of those expenditures even though they exceed our match requirement, therefore it looks like we are overmatching. Again, DHFS is willing to set up an MOA with the new agency to ensure that this match requirement will continue to be met via counties DD expenditures.

2) I'm assuming that the admin cost sharing is separate from the match. So, DHFS is putting \$15,000 GPR toward the admin costs. What amount ofFED is the department putting toward the admin costs and where is this funding coming from? You are correct, the admin cost sharing is separate from the match and is 50/50, GPR/FED. The actual admin varies a little from year to year, for example: FFY 04 \$28,303; FFY 05 \$31,910; FFY 06 \$28,882. We took the average admin cost of these years, \$29,698, and then the half of this amount (for the GPR share) which is \$14,849. This is why we propose transferring 15,000 GPR to the new agency to cover this admin cost. The Fed side of this admin cost share is covered by the grant award of \$1.2 million.

Any help you could provide us in understanding this would be helpful. Best, Steve

----Original Message----

From: Massey, Mary - DOA

Sent: Tuesday, January 16, 2007 3:05 PM

To: Milioto, Steve - DOA Cc: Kerner, Martha - DOA Subject: RE: Re: WCDD Recap

#### Steve,

This is getting interesting. I'm not following how the \$15,000 in GPR fits in. In one of the prior exchanges it looks like the match is \$150,000. Another it appears to be \$410,000 and another \$50,000. As it stands now the \$15,000 GPR is all DOA will be able to contribute as match.

#### Mary

----Original Message---From: Milioto, Steve - DOA

Sent: Tuesday, January 16, 2007 2:54 PM

To: Vang, Seng - DHFS Cc: Massey, Mary - DOA Subject: RE: Re: WCDD Recap

Hi Seng --

If all of the FED grant funding is transferred to DOA, are we still able to claim the \$410,500 in match? Best, Steve

----Original Message----

From: Vang, Seng [mailto:VangS@dhfs.state.wi.us]

Sent: Tuesday, January 16, 2007 2:47 PM

To: Milioto, Steve - DOA Subject: Fwd: Re: WCDD Recap

Hi Steve, in regards to your question about the match requirement from the feds, see Jennifer's note below and the attachment.

Furthermore, here's what BFS says about what we do report as match currently:

we report \$410,500 as DD match each year from the basic county allocation. The requirement is 25% (less than we report). The admin cost sharing is split 50/50, GPR/FED up to a fed cap of \$50,000. \$15,000 of GPR is the current amount. The requirement states it is up to 5% of the grant amount or \$50,000 whichever is less.

Please let me know if you need anything further. >>> Jennifer Ondrejka 12/14/06 6:04 PM >>>

I've attached excerpts from some regulatory memos on the ADD web site. The first section again underlines the idea that the DSA only provides information on State personnel procedures (i.e., is not involved in personnel work). The second section clarifies that the State match is only against our contracted projects, which typically are \$600,000.

Thus the 25% match would be \$150,000.

Steve Stanek said that originally, the match was against the entire budget, but they changed it 5 or 6 years ago.

Jennifer Ondrejka, Executive Director Wisconsin Council on Developmental Disabilities 201 W. Washington Ave., Suite 110 Madison, WI 53703-2796 Tel: 608-266-1166 Fax: 608-267-3906 Web:www. WCDD.org

Seng Vang DHFS, OSF 267-0356 (F) 267-0358

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>>> Seng Vang 12/14/06 04:28PM >>> Hi all--

Please review my summary notes below and if I omitted/did not capture something accurately, please let me know. At the meeting, we had decided to approach Commerce and DOA simultaneously about being a possible DSA; I talked this over with Andy and he suggests that we respond to Commerce and let them respond definitively before we approach DOA.

Thanks.

Seng Vang DHFS, OSF 267-0356 (F) 267-0358

\* \* \* \* \* \* \* \* \*

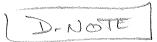
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## State of Misconsin 2007 - 2008 LEGISLATURE



LRB-0878/23 DAK:lmk:pg

DOA:.....Milioto, BB0174 - Council on Developmental Disabilities

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

INSERT A-1

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MENTAL ILLNESS, ALCOHOLISM, AND DEVELOPMENTAL DISABILITIES

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- (7) (ag), as renumbered, is amended to read:

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4 (END)

D. NOTE

## 2007-2008 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

## INSERT A-1

The Council on Developmental Disabilities is funded, in part, by a federal grant.

### **INSERT A-2**

The bill requires DHFS to ensure that the matching funds requirement under the federal grant that provides funds for the Council on Developmental Disabilities is met by reporting expenditures made for the provision of developmental disabilities services under the Community Aids Program.

## INSERT 2-7

**SECTION**: 51.437 (14) (i) of the statutes is created to read:

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51.437 (14) (i) Ensure that the matching funds requirement for the state developmental disabilities councils grant, as received from the federal department of health and human services, is met by reporting to the federal department of health and human services expenditures made for the provision of developmental disabilities services under the basic county allocation distributed under s. 46.40 (2).

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0878/3dn DAK:lmk:pg

To Steve Milioto:

Is "matching funds requirement" in s. 51.437 (14) (i) sufficiently descriptive for your purposes?

Debora A. Kennedy Managing Attorney Phone: (608) 266-0137

E-mail: debora.kennedy@legis.wisconsin.gov

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0878/3dn DAK:lmk&wlj:nwn

January 19, 2007

To Steve Milioto:

Is "matching funds requirement" in s. 51.437 (14) (i) sufficiently descriptive for your purposes?

Debora A. Kennedy Managing Attorney Phone: (608) 266-0137

E-mail: debora.kennedy@legis.wisconsin.gov

## STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

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Research (608-266-0341)

Library (608–266–7040)

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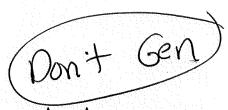


# State of Misconsin 2007 - 2008 LEGISLATURE

LRB-0878/5 4
DAK:lmk&wlj:nwn

DOA:.....Milioto, BB0174 - Council on Developmental Disabilities

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION



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AN ACT to renumber and amend 15.197 (11n); and to create 20.505 (4) (mg)

and 51.437 (14) (i) of the statutes; relating to: the budget.

## Analysis by the Legislative Reference Bureau

### HEALTH AND HUMAN SERVICES

### MENTAL ILLNESS, ALCOHOLISM, AND DEVELOPMENTAL DISABILITIES

Currently, the Council on Developmental Disabilities is attached to DHFS and performs numerous duties, including developing, approving, and continuing modification of the statewide plan for delivery of services to individuals with developmental disabilities. The Council on Developmental Disabilities is funded, in part, by a federal grant.

This bill transfers the Council on Developmental Disabilities to DOA and creates an appropriation in DOA for receipt and distribution of federal moneys for the Council on Developmental Disabilities. The bill requires DHFS to ensure that the matching funds requirement under the federal grant that provides funds for the Council on Developmental Disabilities is met by reporting expenditures made for the provision of developmental disabilities services under the Community Aids Program.

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51.437 (14) (i) Ensure that the matching funds requirement for the state developmental disabilities councils grant, as received from the federal department of health and human services, is met by reporting to the federal department of health and human services expenditures made for the provision of developmental disabilities services under the basic county allocation distributed under s. 46.40 (2).

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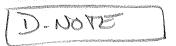
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(END)

\$467,500



## State of Misconsin 2007 - 2008 LEGISLATURE



LRB-0878/45 5
DAK:lmk&wlj:rs/

DOA:.....Milioto, BB0174 - Council on Developmental Disabilities

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

DIST (SW)

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(END)

## STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

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D-Nove (date)
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To Steve Milioto ()
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HAS I mentioned by telephone? This redrapt
deletes the position decreases in the
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deletes the position decreases in the unnecessary last Section of LRB, 0878 4; it is unnecessary
to Draft this / since the Governor possesses
this authority and it will be contained accompanying in accompanying budgetary documents o
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in accompanying budgetary documents

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0878/5dn DAK:lmk:rs

January 30, 2007

To Steve Milioto:

As I mentioned by telephone, this redraft deletes the position decreases in the last Section of LRB-0878/4; it is unnecessary to draft this, since the Governor possesses this authority and it will be contained in accompanying budgetary documents.

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## State of Misconsin 2007 - 2008 LEGISLATURE

LRB-0878/5 DAK:lmk&wlj:rs

DOA:.....Milioto, BB0174 - Council on Developmental Disabilities

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau HEALTH AND HUMAN SERVICES

### MENTAL ILLNESS, ALCOHOLISM, AND DEVELOPMENTAL DISABILITIES

Currently, the Council on Developmental Disabilities is attached to DHFS and performs numerous duties, including developing, approving, and continuing modification of the statewide plan for delivery of services to individuals with developmental disabilities. The Council on Developmental Disabilities is funded, in part, by a federal grant.

This bill transfers the Council on Developmental Disabilities to DOA and creates an appropriation in DOA for receipt and distribution of federal moneys for the Council on Developmental Disabilities. The bill requires DHFS to ensure that the matching funds requirement under the federal grant that provides funds for the Council on Developmental Disabilities is met by reporting expenditures made for the provision of developmental disabilities services under the Community Aids Program.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

administration.

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1	<b>SECTION 1.</b> 15.197 (11n) of the statutes is renumbered 15.107 (7) and 15.107
2	(7) (ag), as renumbered, is amended to read:
3	15.107 (7) (ag) There is created a council on developmental disabilities,
4	attached to the department of health and family services administration under s
5	15.03.
6	Section 2. 20.505 (4) (mg) of the statutes is created to read:
7	20.505 (4) (mg) Council on developmental disabilities; federal aid. All federal
8	moneys received under 42 USC 15021 to 15029 for the council on developmental
9	disabilities, for the purposes for which provided.
	****Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.
10	SECTION 3. 51.437 (14) (i) of the statutes is created to read:
11	51.437 (14) (i) Ensure that the matching funds requirement for the state
12	developmental disabilities councils grant, as received from the federal department
13	of health and human services, is met by reporting to the federal department of health
14	and human services expenditures made for the provision of developmental
15	disabilities services under the basic county allocation distributed under s. 46.40 (2)
16	Section 9121. Nonstatutory provisions; Health and Family Services.
17	(1) Transfer of council on developmental disabilities.
18	(a) Assets and liabilities. On the effective date of this paragraph, the assets and
19	liabilities of the department of health and family services primarily related to the
20	council on developmental disabilities, as determined by the secretary of
21	administration, shall become the assets and liabilities of the department of

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- (b) *Employee transfers*. All incumbent employees holding positions in the department of health and family services performing duties primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of administration.
- (c) *Employee status*. Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and under chapter 230 of the statutes in the department of administration that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.
- (d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, is transferred to the department of administration.

## (e) Contracts.

- 1. All contracts entered into by the council on developmental disabilities in effect on the effective date of this paragraph remain in effect and are transferred to the council on developmental disabilities in the department of administration. The council on developmental disabilities shall carry out any obligations under such a contract until the contract expires or is modified or rescinded by the council on developmental disabilities to the extent allowed under the contract.
- 2. All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the

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functions of the council on developmental disabilities, as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(END)